

Minutes--DRAFT
March, 21, 2024

Public meeting to Address Proposed Changes to Sunderland By-Laws Concerning Short-Term Rentals (STRs)

Planning Commission Members Present: Gordon Dossett (taking minutes), David Kiernan, Ben Travis, Robert Zeif

Public In attendance: Todd Lawrence, Linda Dykeman, Thomas Dykeman, Alex Bresnick

Chair Zeif called the meeting to order at 6:04.

Zeif briefly referenced the enforcement of the by-laws, noting that the easiest way to enforce the new by-laws is to notify rental agencies (airbnb, vrbo) that a place is not in compliance. Agencies will then de-list it.

He invited for response to proposed changes to bylaws for STR. Bylaws

Bresnick asked what the burden for the town would be for enforcement.

Kiernan: The town would incur very little burden, mainly notifying the rental agency about lack of compliance. Those not complying would first receive a warning letter; then for a subsequent complaint an owner would receive a \$200 fine for each day not in compliance.

Londonderry has chosen a different approach. It is currently advertising for compliance officer.

The proposed by-laws would allow for double occupancy of house depending on number of bedrooms. For a 7 bedroom STR, that would mean a total of 28 people could stay.

It is possible for events to get out of hand. A STR with a swimming pool could lead to large summer party.

It is still possible for an owner to rent out a house and go to Florida for winter months, for example.

Although the Planning Commission is concerned about outside investors coming in and claiming scarce housing, this proposed by-law change does not ban outside investors.

The Planning Commission worried that the town could have a free-for-all if we don't start to set up by-laws.

We wanted to preserve the neighborhood.

Tho Dykeman: He said that he had worked in the hotel industry in town. Two nearby neighbors have airbnb--no problems. However, STRs represent a huge problem since it means a loss of housing and a challenge for workers in town to find affordable housing. Horse show people are staying at STRs, not hotels. Hill Farm, spent millions, but revenue is going out of town, to people who have bought STRs.

We've opened a Pandora's Box. Sex trafficking has occurred in local hotels. He is concerned that it could become an airbnb problem; neighbors may not hear anything, so may open up to a problem.

L. Dykeman: can by-laws be made, to begin to regulate STRs more fully?

Kiernan: That is what we are striving to do. STRs are here to stay. The new by-laws call for each STR to designate a contact person in Bennington County, so there is some local accountability.

T. Dykeman: sex trafficking is an issue.

Kiernan: we know where STRs are—plus have fire alarms, so some way to control safety issues. We are striving to preserve the integrity of the neighborhood.

L Dykeman: It is creepy having strangers (STR renters) opposite your home all the time.

Bresnick: Could a rooms' tax be built into platforms?

Zeif: There is a way to impose tax, via airbnb, vrbo. Local tax could be collected. Through such platforms, a town could know how many nights places have been rented.

Kiernan: Local room tax involves setting up a process

Zeif: If residents want to collect tax, then the Select Board can consider that.

Kiernan: An auxiliary dwelling can be rented.

Zeif: We don't believe that we can discriminate between residents/non-residents.

L Dykeman: Anything that can be done concerning out-of-state owners? Two nearby STRs owned by people living in Massachusetts.

Zeif: We did not prohibit them. First we sought to streamline the process, to get something in place. A second step is to see what happens at state level.

T. Dykeman: We don't want to come in and have heavy fines imposed on many people.

Zeif: We did not set a maximum number of nights, for example. However, that issue could be re-visited if it is of concern of citizens—but we did not start out that way, since many locals need extra income.

L. Dykeman: STR Revenue is not going to town; it's going to owners in MA; but home values are increasing since STR possibility adds value.

Bresnick: How is a party defined in new by-laws?

Kiernan: We need a definition from town attorney Merrill Bent. Bylaws limit the size of gatherings (2 people for every one bedroom).

L. Dykeman: Anything in the new by-laws about animals? Animals of STRs have roamed freely at times near her home.

Zief: We will consider that.

Kiernan: Town laws apply. The town's animal control officer enforces the town leash law, for example. Something about animals could be included on the checklist that STRs need to provide guests.

Lawrence: How many STRs are in town now?

Kiernan: We don't know exactly;

Travis: We have canvassed:30?

Lawrence: 45? Vermont House bill 756 is being considered.

Kiernan—If that bill passes, then we'll need to amend by-laws to be in compliance with state law.. All towns in Bennington County—and throughout the state— now have different bylaws, so it would be great if the state stepped in and created consistency.

Now, if a guest stays more than 30 days, the agreement becomes a lease—but that may change if a new law is passed.

Zeif: I'm hearing these key areas for possible changes to proposed by-laws on STRs:
Making guests aware of animal ordinances.
Setting a maximum of nights for any given STR.
Defining what a party (or gathering?) is for STR guests.

Kiernan: moves to adjourn; **Travis** seconds. Passes unanimously

Meeting adjourned: 6:50 pm

